

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SIGNIFY NORTH AMERICA
CORPORATION and SIGNIFY HOLDING
B.V.

Plaintiffs,

v.

EGLO LEUCHTEN GMBH and EGLO
HONG KONG LIGHTING LTD.

Defendants.

CASE NO. 6:22-cv-00812-ADA

JURY TRIAL DEMANDED

AGREED SCHEDULING ORDER

The Parties have agreed to the below schedule in this case. As a result of that agreement, and pursuant to Rule 16, Federal Rules of Civil Procedure, the Court **ORDERS** that the following schedule will govern deadlines up to and including the *Markman* hearing in this matter:

Deadline	Item
February 7, 2023	The Parties shall submit an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of each Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
February 14, 2023	Deadline for Motions to Transfer
March 14, 2023	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the prior two years, unless the parties agree to some other timeframe.

March 28, 2023	Parties exchange claim terms for construction.
April 11, 2023	Parties exchange proposed claim constructions
April 18, 2023	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. ¹ With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
April 25, 2023	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
May 2, 2023	Parties file opening claim construction briefs, including any arguments that any claim terms are indefinite.
May, 23, 2023	Parties file Responsive claim construction briefs.
June 6, 2023	Parties file Reply claim construction briefs. For pending inter-district venue transfer motions, the moving party to provide the Court with a status report with respect to whether the motion(s) has been fully briefed and ready for resolution no later than four weeks prior to the date of the Markman hearing that is scheduled in that case. ²
June 20, 2023	Plaintiff files Sur-Reply claim construction brief.
June 22, 2023	Parties submit Joint Claim Construction Statement. In addition to filing, the parties shall jointly submit, via USB drive, cloud-storage, or email to the law clerk pdf versions of all as-filed briefing and exhibits. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
June 22, 2023	Parties submit optional technical tutorials to the Court and technical adviser (if appointed). ³
June 29, 2023	Markman Hearing
June 30, 2023	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
August 15, 2023	Deadline to add parties
August 29, 2023	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to

¹ Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

² To the extent there are multiple Markman hearings, the status report is due six weeks before the first scheduled Markman hearing.

³ The parties should contact the law clerk to request a Box link so that the party can directly upload the file to the Court's Box account.

	Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
October 24, 2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or claims.
January 2, 2024	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a teleconference with the Court to resolve the disputed issues.
January 30, 2024	Close of Fact Discovery.
February 6, 2024	Opening Expert Reports.
March 5, 2024	Rebuttal Expert Reports.
March 26, 2024	Close of Expert Discovery.
April 2, 2024	Deadline to meet and confer to discuss narrowing the number of claims asserted and prior art references at issue. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
April 9, 2024	Dispositive motion deadline and <i>Daubert</i> motion deadline.
April 23, 2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
May 7, 2024	Serve objections to pretrial disclosures/rebuttal disclosures. Parties to jointly email the Court's law clerk to confirm their pretrial conference and trial dates.
May 14, 2024	Serve objections to rebuttal disclosures and File Motions <i>in limine</i> .
May 21, 2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .
May 28, 2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
June 3, 2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .

June 11, 2024	Final Pretrial Conference. The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.
June 24, 2024	Jury Selection/Trial. The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.

SIGNED this 8th day of February, 2023.



Alan D Albright
United States District Judge